

# Town Council Meeting: 10 October 2011



Town of Garrett Park  
PO Box 84  
4600 Waverly Avenue  
Garrett Park, MD 20896

Regular Meeting of Town Council  
Garrett Park Town Hall  
10814 Kenilworth Avenue  
Garrett Park, MD 20896

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## MINUTES

**Call to Order:** Mayor Keller called the meeting to order at 7:35 PM. Present were Councilmembers Irons, Mandel, Schulp, Petito, and Wegner. Also present was Town Administrator Pratt, Margaret Soltan of the *Bugle*, and a number of Town residents.

**Approval of Agenda:** Mayor Keller asked that the variance opinion discussion be removed from the agenda because the variance record has not yet gone to the Town attorney for drafting in opinion format. The mayor raised the question of whether expenditure of added Town funds to draft an opinion was necessary if the applicant is not pursuing a permit at the County level. The vote of the Council and the factual record is spread upon the minutes of the June and July meetings; an opinion can be prepared on short notice if the applicants in fact pursue a County building permit. The Mayor also asked that appointment of acting mayor, parking restrictions in front of Town Hall, and undergrounding of utilities serving the Community Center be added to the Agenda under Action/Discussion. The Mayor's changes to the Agenda were accepted by the Council without objection.

**Presentations by Residents:** Alison Pearce updated the Council on the status of the Garrett Park Cooperative Nursery School's Community Center renovation, noting that it was about 6 weeks behind schedule due to permitting issues and volunteer scheduling. There was discussion of various construction issues, including the installation of a rain garden. Mayor Keller asked Councilmember Schulp, as the Council liaison with Holy Cross on this project, to keep the diocese updated on installation issues.

### **Mayor's Report:**

- Mayor Keller reported on a meeting with representatives of the US Postal Service, noting the need to promote use of Garrett Park Post Office to keep it profitable. Council members who attended the meeting also noted the strong support of keeping the Post Office open provided at the meeting by former Mayor and current County Councilmember Nancy Floreen.

- Mayor Keller discussed recent events regarding the proposed undergrounding of utilities at the Community Center. The Mayor reported that in August the Town received an offer from Pepco to reduce their charges for pulling wires if the electrical service was undergrounded, and that he immediately approached Dustin Construction and Montgomery County Public Schools (MCPS) for an estimate as to cost of doing this work. The Mayor noted that MCPS ignored the request for nearly a month, then offered support in the form of an estimate for the work and \$8K toward the project, and then waited yet another month to supply that estimate, which was received at 4:30 this afternoon.

**Councilmember's Reports on Areas of Responsibility:**

- Councilmember Irons reminded the Council of the tour of recently installed rain gardens this Sunday, October 16<sup>th</sup>.
- Councilmember Mandel reported on Town Archives activity, noting that Archives Committee Chair Charlie Snyder was taking photos of the Council for the Archives files. Councilmember Mandel also reported that relatives of B. T. Galloway, who in 1898 built the house at 10925 Kenilworth Avenue, currently occupied by Perry Chapman, one of the first houses built in Town, had stopped by and made available photographs of the house and other pictures of Garrett Park in the 1890's. Charlie Snyder reported that gifts of other collections of early photographs are anticipated, and urged residents to stop by the Archives to view these wonderful additions to the Town's collection.
- Councilmember Petito reported on the Parks and Open Space Committee (POSCO) meeting at Cambria Court on Saturday, October 8<sup>th</sup> where the committee reviewed a concept plan for the park from Goshen Enterprises that represented the beginning of the development of an application for a state grant. Councilmember Petito noted that the next steps included developing a narrative to go with the concept plan, and to prepare documents for POSCO to show to residents for comment - an important part of the grant application process. Councilmember Schulp commented that it was a nice conceptual drawing, though some elements shown were probably not compatible with the park's other uses.
- Mayor Keller reminded the Council of the Arboretum Committee's Annual Tree Walk, which will be held on Sunday, October 30<sup>th</sup>, at 2:00 PM, starting this year at the Town Hall instead of the usual start at Penn Place. The Mayor also reported that Mr. Gregg's tree removals bill was very reasonable.
- Councilmember Wegner is continuing his efforts to set up meeting with Pepco regarding bundling of wires along Strathmore.

**Approval of Minutes:**

- 07/11/2011 Regular Council Meeting: Councilmember Petito **MOVED**  
That the minutes of the regular July Council meeting be approved as circulated. The motion was seconded by Councilmember Wegner and **PASSED** unanimously.
- 09/12/2011 Regular Council Meeting: Councilmember Wegner **MOVED**  
That the minutes of the regular September Council meeting be approved as circulated. The motion was seconded by Councilmember Irons and **PASSED** unanimously.

**Action/Discussion:**

- Capital Projects Update – Mayor Keller briefed the Council on the sidewalk, curb and gutter project, noting that the Town had received two bids: Cylos, Inc. of Beltsville bid \$ 231,719.13, and NZI, Inc. also of Beltsville, bid \$387,540. (Chester Engineers had estimated the job at \$302,000.) The Mayor reported that Chester Engineers is currently performing a due diligence review of the low bid, which is in the final stages and approval is expected. The Mayor stated that he was inclined to award the contract to Cylos, with the possible hiring of a Clerk of the Works to provide greater oversight of the job. If the bid is awarded this week construction should start by the second week in November. The Mayor also reported that it was expected that the storm drain project should go out to bid late this week or early next week. Mayor Keller noted that given the below-estimate bid for the sidewalk, curb and gutter work, and the estimates for the storm drain repairs prepared by Chester Engineering, Capital Budget transfers were not necessary at this time.
- Land Use Ordinance Amendments Prioritization – Councilmember Irons reported that a briefing with the Setback Advisory Committee (SAC) would be held tomorrow evening, October 11<sup>th</sup>, at 6:00 PM in Town Office to discuss the Land Use Task Force (LUTF) recommendations. Mayor Keller noted that this would be a Council Work Session: the public is welcome to observe, but public comment is not permitted.
- Undergrounding Utilities at the Community Center - Mayor Keller noted that the estimate supplied by Dustin Construction through MCPS is \$50,360. Even with the low price for Pepco's component of the project and the MCPS-offered subsidy of \$8,000, the cost would be over \$42,000. No firm estimates had been received from Verizon (MCPS estimated \$10,000) or Comcast (MCPS estimated \$2,000); if Verizon services are not used, the estimate is reduced to \$32,000. After discussion, the Mayor asked Alison Pearce if the Nursery School would be willing to contact the Community Center renovations general contractor, Albrecht Construction, and ask them to give an estimate for the undergrounding, and she agreed to do so. There was discussion as whether the undergrounding was worth doing,

even with the increase in electrical service capacity to 440 volts, improved aesthetics and safety, and reduced maintenance costs. Alison Pearce indicated that the Nursery School can get by with the 220 volt service, but would not be able to run full air conditioning in the summer. There was extended discussion on the various aspects of the project, with Councilmembers Irons, Mandel, and Petito expressing significant reservations over the need for such a large investment in the Community Center. It was agreed that the Mayor would seek an estimate from Albrecht Construction for the undergrounding, contact MCPS to indicate Town's disappointment with the estimate provided, to ask for an increase in the \$8,000 subsidy, and get a firm date from MCPS for resurfacing of the parking area.

- Temporary Parking at Town Hall - Mayor Keller discussed the impact of Garrett Park Elementary School construction parking on Town Hall use by residents during the day, and asked the Council to adopt an emergency parking authorization to protect the health and safety of the public by creating one handicapped parking space and a loading/unloading only zone in front of the Town Hall. The Mayor also said that in the near future he would be proposing an ordinance to put the control of parking in regulations adopted by resolution as opposed to the current more cumbersome procedure of adopting separate ordinances for each parking restriction.

Councilmember Shulp stated that these were a desirable ideas and  
**MOVED**

That, in order to protect the public's health and safety during this time of high congestion along South Kenilworth Avenue caused by the construction at the Garrett Park Elementary School, emergency parking authorization be adopted establishing one handicapped parking space and a loading/unloading zone in front of the Town Hall, to be implemented immediately. The motion was seconded by Councilmember Petito, and was **PASSED** unanimously.

- Acting Mayor - Mayor Keller noted that he would be out of Town from October 17<sup>th</sup> through the 26<sup>th</sup>, and asked for volunteers to serve as Acting Mayor. Councilmember Schulp agreed to serve, with Councilmember Irons agreeing to act as an alternate, if needed.

#### **Town Administrator Report:**

- Monthly Financial Report - Administrator Pratt reviewed the monthly financial report with the Council.
- Active Permits Report - Administrator Pratt reviewed the current active permits report with the Council.

**Adjournment:** The meeting was adjourned at 9:40 PM.

Respectfully submitted,

[TOWN SEAL]

*Edwin Pratt, Jr.*

Edwin Pratt, Jr., Clerk-Treasurer